

KATTEN MUCHIN ROSENMAN LLP
50 Rockefeller Plaza
New York, New York 10020
(212) 940-8800
*Attorneys for RBC Investor Services S.A., RBC Investor
Services Trust, and Banco Inversis, S.A.*

Hearing Date: December 14, 2022
Opposition Date: November 1, 2022
Reply Date: December 1, 2022

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION,)	
Plaintiff,)	Adv. Pro. No. 08-01789 (CGM)
v.)	SIPA Liquidation
)	(Substantively Consolidated)
BERNARD L. MADOFF INVESTMENT SECURITIES, LLC,)	
Defendant.)	
In re:)	
BERNARD L. MADOFF INVESTMENT SECURITIES, LLC,)	
Debtor.)	
IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff)	Adv. Pro. No. 12-01698 (CGM)
Plaintiff,)	
v.)	ORAL ARGUMENT REQUESTED
BANQUE INTERNATIONALE À LUXEMBOURG S.A. (f/k/a Dexia Banque Internationale à Luxembourg S.A.); RBC INVESTOR SERVICES BANK S.A. (f/k/a RBC Dexia Investor Services Bank S.A.); RBC INVESTOR SERVICES TRUST (f/k/a RBC Dexia Investor Services Trust); BANCO INVERDIS, S.A., as successor in interest to RBC Dexia Investor Services España S.A.; and BANQUE INTERNATIONALE À LUXEMBOURG (SUISSE) S.A. (f/k/a Dexia Private Bank (Switzerland) Ltd.),)	
Defendants.)	

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon Defendants RBC Investor Services Bank S.A.; RBC Investor Services Trust; and Banco Inversis, S.A. (as successor in interest to RBC Dexia Investor Services España S.A.) (collectively, the “RBC-Dexia Defendants”) Memorandum of Law in Support of Their Motion to Dismiss the Trustee’s Amended Complaint (“Motion”), the accompanying Declaration of Anthony Paccione, dated September 2, 2022, and the exhibits thereto, the Amended Complaint, dated June 30, 2022 filed by plaintiff Irving H. Picard, Trustee (the “Trustee”) for the Liquidation of Bernard L. Madoff Investment Securities LLC (the “Amended Complaint”), in the above-captioned adversary proceeding, and all prior pleadings and proceedings herein, Defendants move for an order dismissing the Amended Complaint, pursuant to Federal Rules of Civil Procedure 12(b)(2), 12(b)(6), 10(c) and 8(a) as made applicable by Rule 7012 of the Federal Rules of Bankruptcy Procedure, and for such other relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order in this proceeding entered April 12, 2022, the Trustee shall respond to this motion by November 1, 2022. If the Trustee responds to the Motion, Defendants shall file their reply by December 1, 2022.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendants do not consent to the entry of final orders or judgment by this Court.

Dated: September 2, 2022
New York, New York

Respectfully Submitted,

/s/Anthony Paccione

KATTEN MUCHIN ROSENMAN LLP

50 Rockefeller Plaza

New York, NY 10020

Telephone: (212) 940-8800

Facsimile: (212) 940-8776

Anthony L. Paccione

Email: anthony.paccione@katten.com

Mark T. Ciani

Email: mark.ciani@katten.com

*Attorneys for RBC Investor Services S.A., RBC
Investor Services Trust, and Banco Inversis, S.A.*